

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

JOHN HANCOCK LIFE INSURANCE
COMPANY, JOHN HANCOCK
VARIABLE LIFE INSURANCE
COMPANY and MANULIFE
INSURANCE COMPANY (f/k/a
INVESTORS PARTNER LIFE
INSURANCE COMPANY),

Plaintiffs,

V.

ABBOTT LABORATORIES,

Defendant.

CIVIL ACTION NO. 05-11150-DPW

JOINT STIPULATION TO SET BRIEFING SCHEDULE

Plaintiffs John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Manulife Insurance Company (f/k/a Investors Partner Life Insurance Company) (collectively, “John Hancock”) and defendant Abbott Laboratories (“Abbott”) (collectively, the “Parties”) hereby jointly move to change the briefing schedule for Plaintiffs’ Motion to Amend the Supplemental Complaint, Defendant’s Reply to Plaintiffs’ Opposition to Abbott’s Conditional Motion for Continuance Pursuant to Fed. R. Civ. P. 56(f) and Plaintiffs’ Reply Memorandum in Support of John Hancock’s Cross-Motion for Partial Summary Judgment on Count II of its Supplemental Complaint.

The Parties agree upon and propose the following briefing schedule, subject to the approval of the Court:

(1) Abbott will file and serve its opposition to John Hancock's Motion for Leave to Amend the Supplemental Complaint on or before November 14, 2006;

(2) John Hancock will file and serve its reply in support of its Motion for Leave to Amend the Supplemental Complaint on or before November 29, 2006;

(3) John Hancock filed and served its Opposition to Abbott's Conditional Motion for Continuance Pursuant to Fed. R. Civ. P. 56(f) and its Reply in Support of John Hancock's Cross-Motion for Partial Summary Judgment on Count II of its Supplemental Complaint on November 1, 2006; and

(4) Abbott will file and serve its reply in support of Abbott's Conditional Motion for Continuance Pursuant to Fed. R. Civ. P. 56(f) on or before November 16, 2006.

WHEREFORE, the parties jointly and respectfully request that the Court grant this Joint Stipulation to Set Briefing Schedule.

ABBOTT LABORATORIES

JOHN HANCOCK LIFE INSURANCE
COMPANY, JOHN HANCOCK
VARIABLE LIFE INSURANCE
COMPANY and MANULIFE INSURANCE
COMPANY

By their attorneys,

By their attorneys,

/s/ Michael S. D'Orsi

Peter E. Gelhaar, Esq. (BBO# 188310)
Michael S. D'Orsi, Esq. (BBO# 566960)
DONNELLY, CONROY & GELHAAR, LLP
1 Beacon Street, 33rd Floor
Boston, Massachusetts 02108
Tele: (617) 720-2880

/s/ Joseph H. Zwicker

Brian A. Davis (BBO No. 546462)
Joseph H. Zwicker (BBO No. 560219)
Karen Collari Troake (BBO No. 566922)
CHOATE, HALL & STEWART LLP
Two International Place
Boston, MA 02110
Tele: (617) 248-5000

and

/s/ Gregory D. Phillips

Jeffrey I. Weinberger (*pro hac vice*)
Gregory D. Phillips (*pro hac vice*)
Eric J. Lorenzini (*pro hac vice*)
Ozge Guzelsu (*pro hac vice*)
MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue
Thirty-Fifth Floor
Los Angeles, CA 90071-1560
Tele: (213) 683-9100

Date: November 3, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on November 3, 2006.

Date: November 3, 2006.

/s/ Michael S. D'Orsi

Michael S. D'Orsi